

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TEXAS DATA CO., L.L.C.,
Plaintiff,

v.

TARGET BRANDS, INC. and TARGET
CORPORATION,
Defendant.

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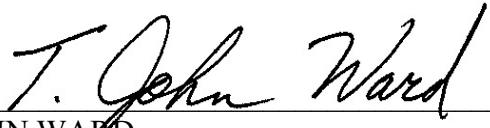
CIVIL ACTION NO. 2:10-cv-269 (TJW)

ORDER

Before the Court is Defendants' Motion to Dismiss under Rule 12(b)(6). (Dkt. No. 8.) The Court adopts the reasoning and analysis of Judge Everingham in *Promote Innovation LLC v. Ranbaxy Labs. Inc.*, No. 2:10-cv-121, Dkt. No. 16 (E.D. Tex. July 14, 2010) and Judge Love in *Astec Am. Inc. v. Power-One, Inc.*, 2008 WL 1734833, No. 6:07-cv-464 (E.D. Tex. Oct. 4, 2007). Considering that reasoning the Court concludes the Complaint is sufficient to withstand Defendant's attack under Federal Rule of Civil Procedure 12(b)(6). Accordingly, Defendant's Motions to Dismiss is DENIED.

It is so ORDERED.

SIGNED this 23rd day of November, 2010.



T. JOHN WARD
UNITED STATES DISTRICT JUDGE